

REMARKS

The present Amendment amends claims 3, 5 and 7-9 and cancels claims 1, 2, 4, 6, 10 and 11. Therefore, the present application has pending claims 3, 5 and 7-9.

Claims 1, 2, 4, 6 and 8 stand rejected under 35 USC §103(a) as being unpatentable over Auvray (U.S. Patent No. 5,564,076) in view of Ratto (U.S. Patent No. 6,798,844) and further in view of Gard (U.S. Patent No. 7,027,793); claim 5 stands rejected under 35 USC §103(a) as being unpatentable over Auvray, Ratto, Gard and further in view of Michaels (U.S. Patent No. 4,549,312); claims 9 and 10 stand rejected under 35 USC §103(a) as being unpatentable over Auvray, Ratto, Gard and further in view of Takano (U.S. Patent Application Publication No. 2004/0198257); and claim 11 stands rejected under 35 USC §103(a) as being unpatentable over Auvray, Ratto, Gard and further in view of Miyaka (U.S. Patent No. 5,732,334).

As indicated above, claims 1, 2, 4, 6, 10 and 11 were canceled. Therefore, the above noted rejection with respect to claims 1, 2, 4, 6, 10 and 11 is rendered moot. Accordingly, reconsideration and withdrawal of the above described 35 USC §103(a) rejection of claims 1, 2, 4, 6, 10 and 11 is respectfully requested.

It should be noted that the cancellation of claims 1, 2, 4, 6 10 and 11 was not intended nor should it be considered as an agreement on Applicants part that the features recited in claims 1, 2, 4, 6, 10 and 11 are taught or suggested by any of the references of record. The cancellation of claims 1, 2,

4, 6, 10 and 11 was simply intended to expedite prosecution of the present application.

Applicants acknowledge the Examiner's indication in paragraph 4 of the Office Action that claims 3 and 7 would be allowable if rewritten to be in independent form including all the limitations of the base claim and any intervening claims. Amendments were made to claims 3 and 7 to place them in independent form including all the limitations of the base claim and any intervening claims. Therefore, claims 3 and 7 are allowable as indicated by the Examiner.

Claim 5 was amended to depend from claim 3. Thus, claim 5 now depends from an allowable base claim. Therefore, the above described rejection of claim 5 under 35 USC §103(a) as being unpatentable over Auvray, Ratto, Gard and Michaels is rendered moot being that claim 5 now depends on an allowable base claim. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

Claims 8 and 9 were each amended to include all of the features of the present invention as set forth in amended claim 7 along with the additional features previously recited in said claims. Thus, claims 8 and 9 have been amended to include the allowable subject matter of claim 7 and as such are allowable over the prior art of record the same as claim 7. Therefore, the above described rejections of claims 8 and 9 under 35 USC §103(a) as being unpatentable over Auvray in view of Ratto and Gard (claim 8) and as being unpatentable over Auvray in view of Ratto, Gard and Takano (claim 9) are rendered moot being that claims 8 and 9 were amended to include the

allowable subject matter of claim 7. Accordingly, reconsideration and withdrawal of these rejections is respectfully requested.

In view of the foregoing amendments and remarks, applicants submit that claims 3, 5 and 7-9 are in condition for allowance. Accordingly, early allowance of claims 3, 5 and 7-9 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C., Deposit Account No. 50-1417 (H-1138).

Respectfully submitted,

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